

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

In the Advisory Action mailed June 22, 2010, the Examiner refused to enter the Amendment After Final Rejection filed June 1, 2010 because the proposed amendments raised new issues requiring further search and consideration. Applicant is therefore submitting this Amendment Accompanying Request For Continued Examination to have the amendments entered and considered.

Claims 8-25 were pending in this application. In this Amendment Accompanying Request For Continued Examination, Applicant has amended claims 8, 10, 11, 16, 20, and 24, added new claims 26 and 27, and has not canceled any claims. Accordingly, claims 8-27 will be pending after entry of this Amendment Accompanying Request For Continued Examination.

In the final Office Action mailed March 30, 2010, the Examiner asserted the following objection and rejections:

- Objected to claim 16 for an informality;
- Rejected claim 10 under 35 U.S.C. § 112, second paragraph, as being indefinite;
- Rejected claims 8, 11, 12, 14, 15, 17-21, and 23 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,356,420 to Czernecki et al. ("Czernecki");
- Rejected claims 9, 10, 22, and 24 under 35 U.S.C. § 103(a) as being unpatentable over Czernecki;
- Rejected claims 13, 16, and 25 under 35 U.S.C. § 103(a) as being unpatentable over Czernecki and U.S. Patent No. 4,527,561 to Burns.

To the extent that the objection and rejections might still be applied to the currently pending claims, Applicant traverses the rejections. The following remarks are organized under subheadings corresponding to the objection and rejections.

Claim Objection: Claim 16

As required by the Examiner, Applicant has amended claim 16 to recite that the at least one return spring is a flat spring, to be consistent with its base claim 8. Applicant therefore respectfully submits that amended claim 16 overcomes the objection.

35 U.S.C. § 112, ¶ 2: Claim 10

The Examiner rejected claim 10 for the alleged lack of a point of reference for the recited "distal edge." In response, Applicant has amended claim 10 to recite that the distal edge is between the first jut surface and the second jut surface and is distal to the longitudinal axis defined by the puncturing needle. Support for that amendment can be found in the present published application, for example, in Figures 1-4. Accordingly, Applicant respectfully submits that amended claim 10 complies with § 112.

35 U.S.C. §§ 102 and 103: Claims 8-25 and New Claims 26 and 27

To advance prosecution, and without prejudice to or disclaimer of the subject matter of the previously pending claims, Applicant has amended independent claims 8 and 24 to clarify a feature distinguishable over the applied prior art, relating to the direct connection of the at least one return spring to the arm of the push button. For example, amended claim 8 recites that each of the at least one return spring is *directly* connected to an arm of the arms of the push button. Independent claim 24 has been similarly amended. Support for those amendments can be found in the present published application, for example, in Figures 1-4, which illustrate return springs 13, 14 directly connected to the arms 7, 8 of push button 3, all of which move in unison during use of the device through the different positions shown in Figures 1-4. As disclosed, for example, at paragraph [0015], the directly connected push button 3, arms 7, 8, and return springs 13, 14, facilitate a cost-efficient device, made from a minimal number of simple parts.

In contrast, in the device of Czernecki, the return spring 10 relied upon by the Examiner is not directly connected to any part of the push button 2. The Examiner

acknowledges this divergent configuration in explaining at pages 4 and 9 of the Office Action that the return spring 10 is “‘connected’ to the arms [of the push button 2] *via the housing 1,*” where the term “‘connected’ does not necessitate a *direct* contact.” (Emphasis added.) Moreover, Applicant respectfully submits that the device as a whole – and the direct connection in particular – recited in amended claim 8 and 24 is not an obvious design choice in view of Czernecki, since the claimed device eliminates the need for a separate return spring that operates independently of the push button on an opposite side of the device, as in Czernecki. (See, e.g., MPEP § 2141.02.)

Accordingly, Applicant respectfully submits that amended independent claims 8 and 24 are patentable over the prior art. In addition, Applicant respectfully submits that dependent claims 9-23 and 25 are also patentable due at least to their dependence on an allowable base claim and for the additional features recited therein.

Regarding those additional features, Applicant has amended dependent claim 20 to recite that the each of the at least one return spring is *directly* connected to the detent of the arm, as disclosed, for example, in Figures 1-4 of the present published application. Since the Examiner applied to claim 20 the same broad interpretation of “connected” as in claims 8 and 24 (see pages 5-6 of the Office Action), Applicant respectfully submits that the direct connection recited in amended claim 20 distinguishes over Czernecki for the same reasons discussed above.

Applicant has also amended dependent claim 11 to clarify that the driving spring is *integrally formed with* the push button and extends from an inside face of the push button, support for which can be found in the present published patent application, for example, in the cross-sectional views of Figures 1-4. This integral construction may also contribute to a simple and cost-effective device.

Further emphasizing simple, cost-effective embodiments, Applicant has also added new dependent claim 26 to recite that the push button, the arms, the at least one return spring, and the driving spring are integrally formed as a single continuous part. Applicant has also added new claim 27 reciting similar features. New claims 26 and 27 do not introduce new matter and find support in the present published application, for example, at paragraph [0022] and in the cross-sectional views of Figures 1-4. For

example, the cross-hatching of the cross-sectional views of Figures 1-4 shows the push button 3, the arms 7, 8, the driving spring 11, and the at least one return spring 13, 14 as formed from a homogeneous material, manufactured as an integrally formed part. As an example, the push button 3, the arms 7, 8, the driving spring 11, and the at least one return spring 13, 14 may be injection molded in a single mold cavity over the course of one injection of plastic material, thereby forming a single monolithic part. The integrally formed construction provides a cost-effective device, especially when made from plastic, for example, as disclosed at paragraph [0022] of the present published application. For these additional features, Applicant respectfully submits that new claims 26 and 27 are patentable over the prior art.

In view of the foregoing, all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone Applicant's undersigned representative at the number listed below.

Respectfully submitted,
PLUMSEA LAW GROUP, LLC

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By: / Steven P. Arnheim /
Steven P. Arnheim
Reg. No. 43,475
Telephone number 301-365-9040